

153545 230x 59.00
United States District Court

County of Southern District of New York
Attorney Michael hueston, Esq.

Diamond Drumgoole, by her parent and nat
ural guardian, Andrea Drumgoole

Petitioner
Plaintiff(s), Index#7703/07

-against-

AFFIDAVIT OF SERVICE

The City of New York et al

Respondent
Defendant(s).

STATE OF NEW YORK: COUNTY OF KINGS ss:

David Levine

BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO
THIS ACTION AND IS OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.

That on 12/19/07 at 10:14am at 2 East 169th Street Bronx, NY 10452
deponent served the within Summons to the First & Amended Complaint

on P.O ROBERT N. FOLEY, SHIELD# 24963 ,
therein named.

INDIVIDUAL

A.

by delivering a true copy of each to said defendants personally: deponent knew the person so served to be the person
described as said defendant therein. (S)He identified (her) himself as such.

CORPORATION/BUSINESS

B.

a (domestic)(foreign)corporation/business by delivering thereat a true copy of each to
Personally, deponent knew said corporation/business so served to be the corporation/business described in said summons
as said defendant and knew said individual to be thereof.

SUITABLE AGE PERSON

C. xxx

by delivering thereat a true copy(ies) of each to S.P.A. Neely a person of suitable age and
discretion. Said premises is defendants (actual place of business)(dwelling house)(usual place of abode) within
the state. (S)He identified (her)himself as co-worker of defendant.

AFFIXING TO DOOR, ETC.

D.

by affixing a true copy(ies) of each to the door of said premises, which is defendants (actual place of
business)(dwelling house)(usual place of abode) within the state. Deponent was unable, with due diligence, to find
defendant, a person of suitable age and discretion or a work address thereat, having called there on

MAILING USE WITH

C. & D.

xxx

Deponent also mailed a copy(ies) of same post paid by first class mail properly addressed to defendant(s) at the aforementioned
address in an envelope marked "personal & confidential" and not indicating that the communication was from an attorney or
concerned an action against the defendant(s) and deposited said envelope in a post office official depository under exclusive care
and custody of the United States Postal Service within New York State on 12/20/07

Deponent further states that he describes the person actually served as follows

| Sex | Skin Color | Hair Color | Age (Approx) | Height (Approx) | Weight (Approx) |
|--------|------------|------------|--------------|-----------------|-----------------|
| female | brown | black | 50 | 5'4 | 135 |

MILITARY SERVICE

Above person was asked whether the defendant(s) was(were) in the military service of the State of New York or the United
States and received a negative reply. Upon information and belief based upon the conversation and observation as aforesaid
deponent avers that the defendant(s) is(are) not in the military service of the Sate of New York or the United States as that
term is defined in the statutes of the State of New York or the Federal Soldiers and Sailors Civil Relief Act.

USE IN NYC CIVIL CT.

The language required by NYCRR (e), (f) & (H) was set forth on the face of the said summons(es).

SUPREME COURT ACTION

Papers so served were properly endorsed with the index number and date of filing.

Sworn before me on 12/20/07

NEIL J. SCHRAGER
Notary Public State of New York
NO. 24-4984776
Qualified in Kings County
Commission Expires July 29, 2009

David Levine
LICENSE NO. 0778982
David Levine